

BOMBAY ACT No. XLIII OF 1953.<sup>1</sup>

[THE BOMBAY MERGED TERRITORIES (ANKADIA TENURE ABOLITION) ACT, 1953.]

[22nd June 1953]

Amended by Bom. 58 of 1954.

## An Act to abolish Ankadia Tenure prevailing in certain parts of the State of Bombay.

WHEREAS it is expedient to abolish the Ankadia tenure prevailing in the merged territories of the former States of Baroda, Idar, Balasinor, Malpur, Lunawada and Deogadh Baria, to extinguish the rights appertaining thereto and to provide for other consequential and incidental matters hereinafter appearing; It is hereby enacted as follows :—

1. (1) This Act may be called the Bombay Merged Territories (Ankadia Tenure Abolition) Act, 1953. Short title, extent and commencement.

(2) It extends to the merged territories of the former States of Baroda, Idar, Balasinor, Malpur, Lunawada and Deogadh Baria, which are included in the districts of Baroda, Kaira, Panch Mahals, Sabar Kantha, Ahmedabad, Mehsana and Amreli.

(3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint in this behalf.

2. (1) In this Act, unless there is anything repugnant in the subject or Definitions. context,—

(a) "Ankadedar" means a person holding an Ankadia village on Ankadia tenure and includes his co-sharer;

(b) "Ankadia tenure" means the tenure on which a village is held by an Ankadedar—

(i) in the merged territories of the former State of Baroda under the Baroda Ankadia Villages Rules of 1932, and

(ii) in the merged territories of the former States of Idar, Balasinor, Malpur, Lunawada and Deogadh Baria in accordance with the terms of a lease or any other agreement;

(c) "Ankadia villages" means the villages specified in the first and second Schedules;

(d) "Ankado" means a lump sum payable annually to Government by an Ankadedar out of the revenues realised by him annually from an Ankadia village;

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(e) "Code" means the Bombay Land Revenue Code, 1879;

(f) "Collector" includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act;

(g) "Gharkhed land" means the land held by an Ankadedar as his private or personal property;

(h) "Jiwai land" means a land held by a cadet of an Ankadedar's family for the purpose of maintenance;

(i) "prescribed" means prescribed by rules under this Act;

(j) "Schedule" means a Schedule appended to this Act.

<sup>1</sup> For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1953, Part V, pp. 165-166.

(2) Any word or expression which is defined in the Code and not defined in this Act shall be deemed to have the meaning assigned to it by the Code.

(3) References in this Act to the provisions of the Baroda Ankadia Villages Rules of 1932 and the leases and agreements governing Ankadia tenure and incidents of Ankadia tenure shall, notwithstanding the repeal of the said Rules, the cancellation of the said leases and agreements and the abolition of the said tenure by this Act, be construed as references to the said provisions, leases, agreements and incidents as they were in force immediately before this Act comes into force.

(4) If any question arises whether any land is Gharkhed or Jiwai, the State Government or any officer authorised by the State Government shall decide the question and such decision shall be final.

Abolition of Ankadia tenure. 3. With effect from and on the date on which this Act comes into force—

(i) the Ankadia tenure, wherever it prevails in the territory to which this Act extends, shall be deemed to have been abolished ;

(ii) save as expressly provided by this Act all the incidents of the said tenure shall be deemed to have been extinguished ;

(iii) all the leases or agreements under which the Ankadia villages specified in the second Schedule were held immediately before the coming into force of this Act shall be deemed to have been cancelled ;

(iv) all the Ankadia villages are hereby resumed and all lands in such villages shall be liable to the payment of land revenue in accordance with the provisions of the Code and the rules made thereunder ;

Provided that nothing in clause (iv) shall be deemed to affect,—

(a) *devasthan* inams or inams held by religious or charitable institutions ; and

(b) inams held for service useful to Government ;

Provided further that nothing in this section shall affect the payment of maintenance allowance to a widow of a deceased Ankadedar sanctioned by the State Government under the provisions of the Baroda Ankadia Villages Rules of 1932.

Persons to be deemed as occupants.

4. (1) (A) In an Ankadia village specified in the first Schedule—

(i) in the case of Gharkhed land held by an Ankadedar, the Ankadedar,

(ii) in the case of Jiwai land, the person holding such land,

(iii) in the case of land held by a person who immediately before the coming into force of this Act was liable to pay to the Ankadedar land revenue or rent in respect of such land as an incident of Ankadia tenure, such person, and

(B) in an Ankadia village specified in the second Schedule,

(i) in the case of Gharkhed land held by an Ankadedar, the Ankadedar, and

(ii) in the case of land held by a person whose name has been immediately before the commencement of this Act, entered in the record of rights as occupier (Kabjedar) of such land and who was liable to pay to the Ankadedar land revenue in respect of such land as an incident of Ankadia tenure, such person,

shall be primarily liable to the State Government for the payment of land revenue due in respect of such land and shall be entitled to all the rights and shall be liable to all the obligations in respect of such land as an occupant under the Code or any other law for the time being in force.

## THE FIRST SCHEDULE.

[See section 2 (1) (c)].

Ankadia villages in the merged territories of the former State of Baroda.

Name of the Village.	District.
(1) <i>Ek-Ankadi Thakarati Villages.</i>	
1. Rajapura ... ..	Baroda.
2. Mote Sherdi ... ..	Kaira.
3. Bakrol ... ..	Panch Mahals.
4. Karmadi ... ..	Baroda.
5. Manekpur Makakhad ... ..	Mehsana.
6. Limbodra ... ..	Do.
7. Pindarda ... ..	Do.
8. Amaja ... ..	Do.
9. Ambawada ... ..	Do.
10. Rampur ... ..	Amreli.
(2) <i>Farta Ankadi Thakarati Villages.</i>	
1. Aglod Motawas including Hathipura ... ..	Mehsana.
2. Aglod Nanawas ... ..	Do.
3. Ghantu Dhanpura ... ..	Do.
4. Rampur Kuvayada ... ..	Do.
5. Sangapur Ghasayata ... ..	Do.
6. Sardarpur ... ..	Do.
7. Ransipur ... ..	Do.
8. Kot ... ..	Do.
9. Lakaroda ... ..	Do.
10. Dethli ... ..	Do.
11. Aluwa ... ..	Do.
<sup>1</sup> [12. Vansa] ... ..	Do.
13. Mosampur ... ..	Ahmedabad.

<sup>1</sup> This entry was substituted for the original, by Bom. 58 of 1954, s. 2, Sch.

Name of the Village.	District.
14. Sherkhi ... ..	Baroda.
15. Sindharot ... ..	Do.
16. Nawa Jaspur ... ..	Do.
17. Ekalbara ... ..	Do.
18. Khandiwada ... ..	Do.
19. Saranej ... ..	Do.
20. Khandha ... ..	Do.
21. Saroli ... ..	Sabar Kantha.
22. Valor ... ..	Mehsana.
23. Bhimpur ... ..	Do.

(3) *Ek-Ankadi Matadari Villages.*

1. Rantej ... ..	Mehsana.
2. Ambod ... ..	Do.
3. Changod ... ..	Do.
4. Madhasan ... ..	Do.
5. Chandapur ... ..	Do.
6. Sidosan ... ..	Do.
7. Khad Khambhalia ... ..	Amreli.

(4) *Farta Ankadi Matadari Villages.*

1. Kunvadra ... ..	Mehsana.
2. Mandali Vihar ... ..	Do.
3. Bulodra ... ..	Do.
4. Mahudi ... ..	Do.
5. Ranchhodpura ... ..	Do.
6. Ganeshpura ... ..	Do.
7. Anodia ... ..	Do.
8. Titodan ... ..	Do.
9. Rangapur ... ..	Do.
10. Haranahoda ... ..	Do.